

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V ‘ZONING DISTRICT CLASSIFICATIONS’, ARTICLE VIII ‘EXCEPTIONS & MODIFICATIONS’, AND ARTICLE XII ‘DEFINITION OF TERMS’ AND FURTHER AMENDING THE OFFICIAL CITY OF HENDERSONVILLE SUBDIVISION ORDINANCE, ARTICLE 3. ‘CONFIGURATIONS’, ARTICLE 8. ‘MEASUREMENTS’, AND ARTICLE 9. ‘DEFINITIONS’

WHEREAS, the Planning Board reviewed this petition for a zoning and subdivision text amendment at its Special Called meeting on March 25, 2025; voting 7-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on April 3, 2025, and

WHEREAS, City Council has found that this zoning text amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council finds that this zoning text amendment will support the provision of workforce housing and missing middle housing in the City by providing flexibility to allow smaller homes to be built on smaller lots, but within parameters that will preserve the identity and character of the community; and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on April 3, 2025,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, Article V ‘Zoning District Classifications’, Article VIII ‘Exceptions & Modifications’, and Article XII ‘Definition of Terms’ and further amending the official City of Hendersonville Subdivision Ordinance, Article 3. ‘Configurations’, Article 6. Homeowners Associations, Article 8. ‘Measurements’, and Article 9. ‘Definitions’ as follows:

ZONING ORDINANCE TEXT AMENDMENTS

SECTION 1. ARTICLE V of the Zoning Ordinance, ZONING DISTRICT CLASSIFICATIONS, is hereby amended as follows:

5-1-3. - Dimensional requirements. [R-40 Estate Residential District]

Subject to the zoning district’s Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-2-3. - Dimensional requirements. [R-20 Low-Density Residential Zoning District]

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-3-3. - Dimensional requirements. [R-15 Medium-Density Residential Zoning District]

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-4-3. - Dimensional requirements. [R-10 Medium-Density Residential Zoning District]

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-5-3. - Dimensional requirements. [R-6 High-Density Residential Zoning District]

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-10-3. - Dimensional requirements. [MIC Medical, Institutional and Cultural Zoning District]

Subject to the zoning district's Permitted Uses, Accessory Dwelling Units (ADU), Single-Family Dwellings and Two-Family Dwellings may be developed using alternative dimensional requirements. See ARTICLE VIII. – EXCEPTIONS AND MODIFICATIONS, Sec. 8-4. – Reduced Flag Pole Lots & Small Lots.

5-13-3. - Dimensional requirements. [RCT Residential Commercial Transition Zoning District]

<u>Front:</u>	<u>10</u>
<u>Side</u>	<u>5</u>
<u>Rear</u>	<u>10</u>
<u>Maximum structure size in square feet (SF), Gross Floor Area (GFA)</u>	<u>1,200** for new construction</u>
<u>Structure location:</u>	<u>All structures shall be located in compliance with fire code requirements.***</u>
<u>Maximum structure height in feet:</u>	<u>Subject to the height limit of the underlying zoning district.</u>
<u>Residual Lots with existing structures:</u>	
<u>Existing structure > 1200 SF gross floor area</u>	<u>Must comply with dimensional requirements of underlying zoning district.</u>
<u>Existing structure < 1200 SF gross floor area</u>	<u>May use Small Lot standards.</u>
<u>Reduced Pole Flag Lot Developments:</u>	
<u>Maximum total number of lots permitted:</u>	<u>6</u>
<u>Maximum number of reduced pole flag lots permitted:</u>	<u>5</u>
<u>Maximum total acreage:</u>	<u>2.0 acres</u>
<u>Small Lot Developments:</u>	
<u>Maximum total number of lots permitted:</u>	<u>6</u>
<u>Maximum number of reduced pole flag lots permitted:</u>	<u>5</u>
<u>Maximum total acreage:</u>	<u>2.0 acres</u>

* Accessory Dwelling Unit (ADU) conversions to fee-simple lots shall install independent water and sewer connections for the unit.

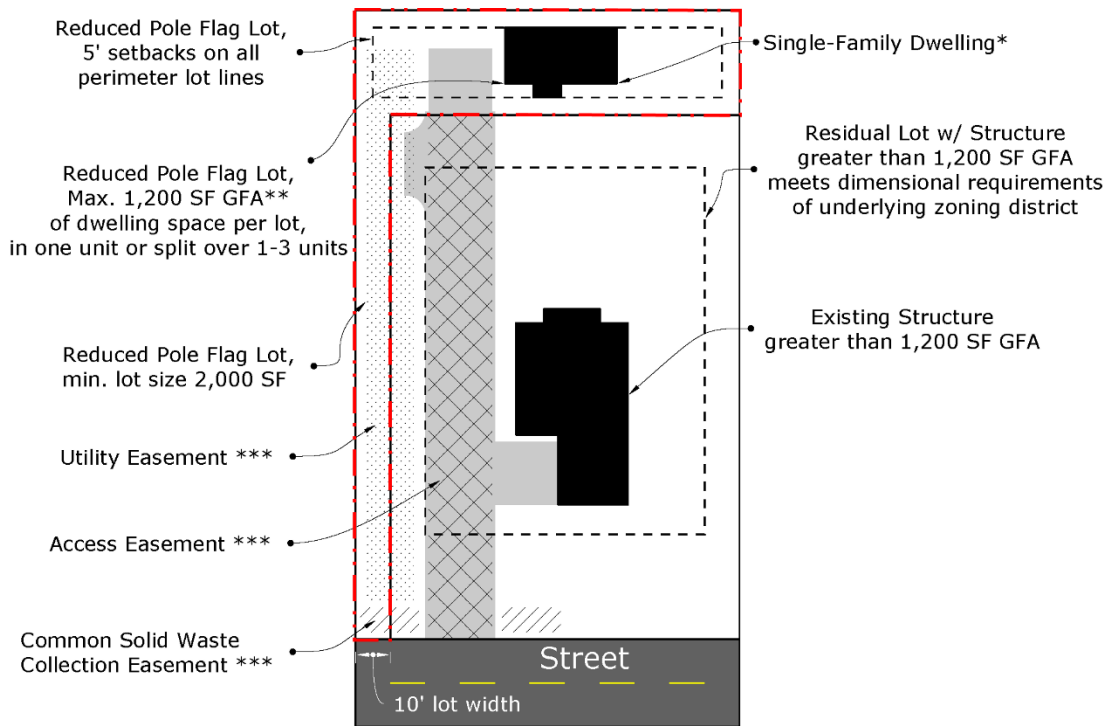
** 1,200 SF GFA may be allocated to one dwelling unit or split over 1-3 units (i.e. ADU, Single-Family, or Two-Family). Accessory dwelling units on a small lot or flag lot shall remain subject to the requirements of Section 16-4-1.

NOTE: Any plat created for this option shall require a note stipulating a maximum home size of 1,200 SF GFA.

*** City of Hendersonville, Code of Ordinances, Chapter 22 – Fire Prevention and Protection, Sec. 22-6 – Access requirements for fire apparatus

See Article XII for definition of “flag” and “pole”.

NOTE: This section contains zoning requirements only. Compliance with zoning requirements does not guarantee compliance with private restrictions. Developers are encouraged to consult with an attorney concerning private restrictions



*Subject to Permitted Uses for underlying zoning district

** GFA = Gross Floor Area (in square feet, SF)

*** Dimensions/locations to vary based on service-provider requirements

Figure 1: Reduced Pole Flag Lot

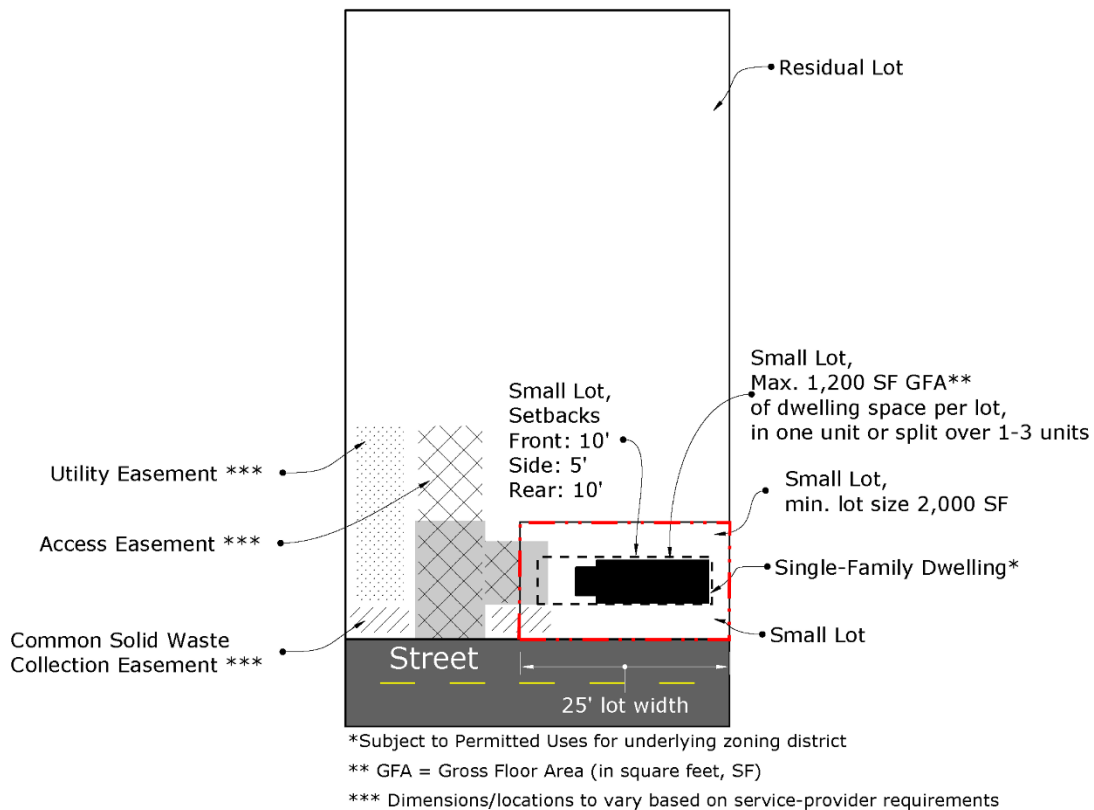


Figure 2: Small Lot

8-4-4. – Access and Frontage Improvements:

- a) Driveways, Utilities and Accessways may be placed within the “pole” or an alternate site location via ‘access’ and/or ‘utility’ easements.
- b) Shared Driveways:
 - a. Use of a shared driveway to serve one Reduced Pole Flag Lot and one or more adjoining Small Lots, Residual Lots, or conventional lots is permitted. When using a shared driveway, placing the driveway within the pole(s) is encouraged but not required. (ref. Figures 1 and 2)
 - b. Where the poles of two or more Reduced Flag Pole Lots adjoin, use of a shared driveway to serve the Reduced Pole Flag Lots is required. The shared driveway must be located within the adjoining pole(s) (ref. Figure 3).
 - c. Shared driveways must meet the following standards:
 - i. The shared driveway must have a minimum of unobstructed width of 10 feet,
 - ii. The shared driveway must be shown on the recorded plat, and
 - iii. The shared driveway must be memorialized in a recorded* access easement containing provisions for the maintenance of the shared driveway. If utility infrastructure (e.g. water, sewer, electric, etc.) is located within a shared driveway, the recorded access easement shall also allow access within the easement for repair, maintenance and placement of the utility infrastructure. *recorded in the Henderson County Register of Deeds Office

c) Utility Easements:

- a- Where utility service lines and/or equipment serving a Reduced Pole Flag Lot, Small Lot or Residual Lot are located on or cross another lot, a shared utility easement is required. Shared utility easements may be placed on “pole’ and other alternative site locations including within a shared driveway. Shared utility easements must meet the following standards:
 - i. The shared utility easement must have a minimum of width of 10 feet,
 - ii. The shared utility easement must be shown on the recorded plat, and
 - iii. The shared utility must be memorialized in a recorded* easement and must contain provisions allowing the repair, maintenance and placement of utility infrastructure, and access for the foregoing purposes. *recorded in the Henderson County Register of Deeds Office
- b- Utility meters and associated infrastructure shall be located according to service-provider requirements.

(Please see Chapter 52 of the Hendersonville Code of Ordinances for additional requirements.)

d) Solid Waste Collection Easements:

- a- Appropriately-sized ‘Common Solid Waste Collection Easements’ are required for the orderly placement of, and access to, solid waste containers and bulk item / brush collection. These easements shall be sized according to container dimensions and the number of containers serving the development along with sufficient space to meet brush collection standards. These easements shall be located in accordance with best practices and avoid being placed on/near/under water meters, sewer cleanouts, power lines, guy wires, fire hydrants, etc., and shall comply with any additional locational or sizing standards contained within Chapter 44 of the Hendersonville Code of Ordinances.
- b- Solid Waste Collection Easements must be shown and identified as a ‘Common Solid Waste Collection Easement’ on the plat and shall require review and approval from Planning staff and the City Public Works Director.

- e) Sidewalks (Sec. 6-12) and Street Trees (Sec. 15-15) shall apply to all Reduced Pole Flag Lot Developments and Small Lot Developments.

8-4-5. –Reduced Pole Flag Lot Developments: In all Reduced Pole Flag Lot Developments or Small Lot Developments containing more than one Reduced Flag Pole Lot, the following provisions shall apply:

- a) Each lot within the Development shall have at least 10 feet of street frontage. The pole of a Reduced Pole Flag Lot may serve as the street frontage.
- b) A shared driveway shall be used as the sole access to Reduced Pole Flag Lots whose poles are adjacent.
- c) Reduced Pole Flag Lot Developments and/or Small Lot Developments consisting of two or more lots, shall not abut another Reduced Pole Flag Lot Development or Small Lot Development consisting of two or more lots.

8-4-6 – Landscaping: In addition to required street trees, at least one large maturing and one small maturing tree shall be planted or preserved on the lot.

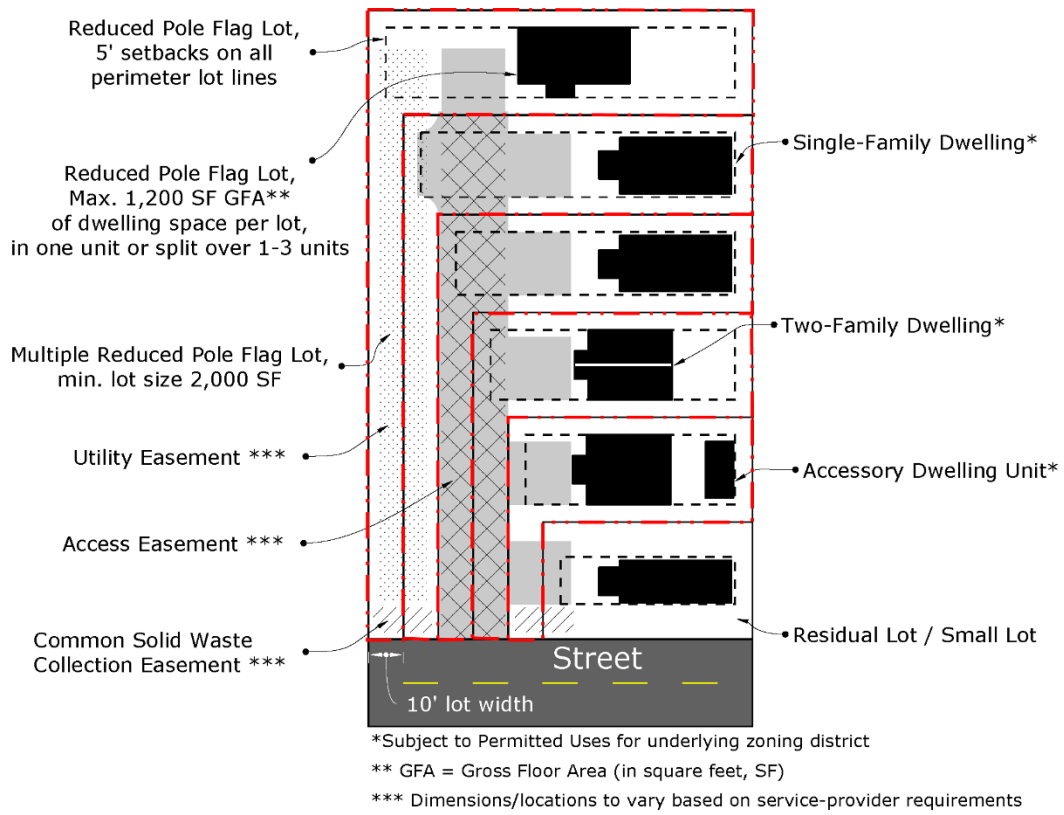


Figure 3: Reduced Pole Flag Lot Development + Small Lot

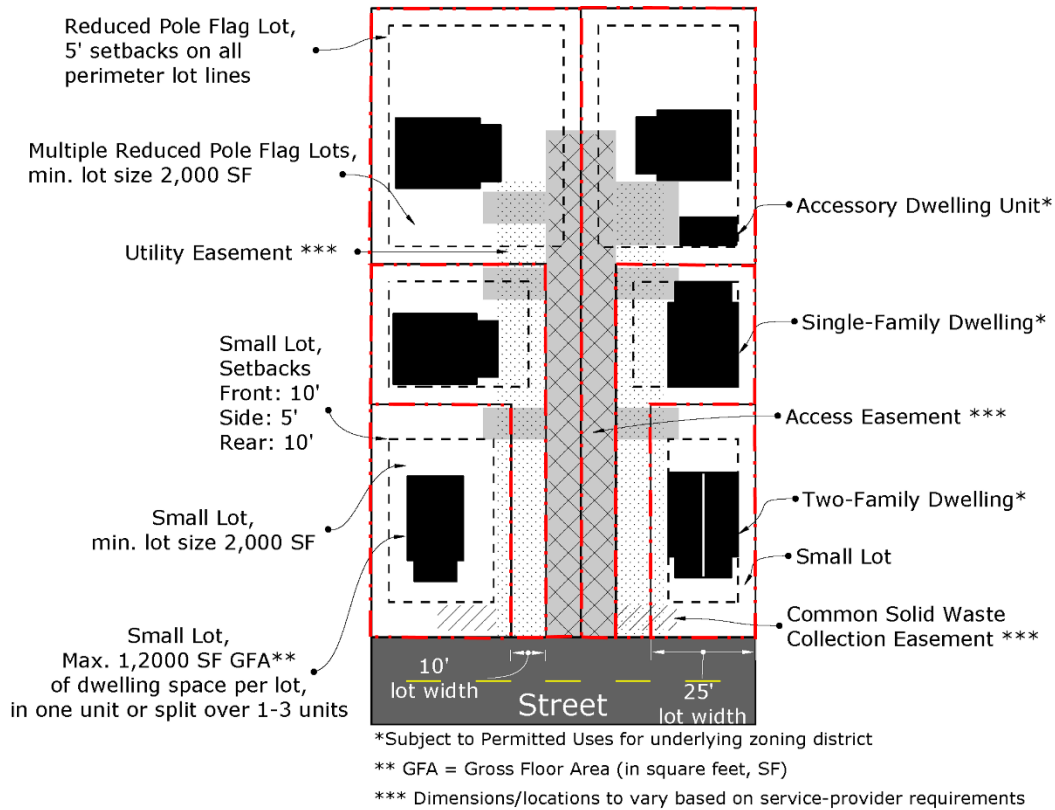
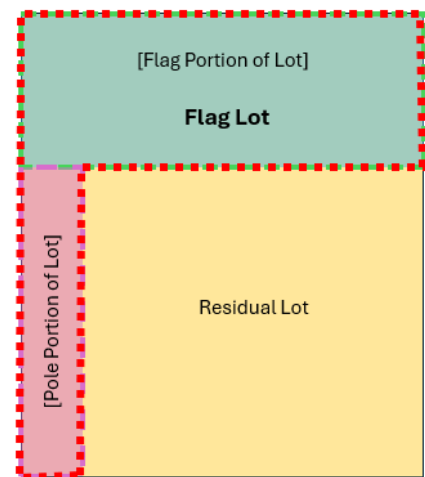


Figure 4: Small Lot combined with Reduced Pole Flag Lot Development, six (6) lot maximum

SECTION 3. Article XII, - of the Zoning Ordinance, Definition of Terms, is amended to add the following definitions:

Flag Lot: A lot with two distinct parts: (1) The flag, which is the only building site; meets the lot width requirement of the zoning district; and is located behind another lot; and (2) the pole, which connects the flag to the street; provides the only street frontage and access for the lot; and at any point is less than the minimum lot width for the zone.



Flag Lot, Reduced Pole: A flag lot with reduced dimensional requirements created pursuant to Sec. 8.4 – Reduced Pole Flag Lots & Small Lots. Reduced Pole Flag Lots feature dwelling(s) with a total of 1,200 square feet of Gross Floor Area.

Gross Floor Area (GFA): The total enclosed area of the horizontal surface of all floors of a building or buildings measured to the outside face of the structural members in exterior walls.

Lot Area: The total area within the lot lines of a platted lot. Lands located within any private easements shall be included within the lot area. The following features shall not be included in calculating minimum lot area: i. Public street rights-of-way; ii. Private street area; and iii. Land that is submerged or regularly underwater and jurisdictional wetlands..

Reduced Pole Flag Lot Development: any development creating two or more Reduced Pole Flag Lots created pursuant to Section 8.4—Reduced Pole Flag Lots & Small Lots. Reduced Pole Flag Lot Developments may also include Small Lots created pursuant to Section 8.4. Reduced Pole Flat Lot Developments shall be deemed to include all Reduced Pole Flag Lots, Small Lots and Residual Lots created as part of the development.

Residual Lot: A remaining lot resulting from the creation of a Reduced Pole Flag Lot or Small Lot pursuant to Section 8.4 – Reduced Pole Flag Lots & Small Lots.

Small Lot: A lot with reduced dimensional requirements with a maximum square footage per Zoning Ordinance Sec. 8.4 – Reduced Pole Flag Lots & Small Lots. Small Lots feature dwelling(s) with a total of 1,200 square feet of Gross Floor Area.

Small Lot Development: any development creating two or more Small Lots created pursuant to Section 8.4—Reduced Pole Flag Lots & Small Lots. Small Lot Developments may also include Reduced Pole Flag Lots created pursuant to Section 8.4. Small Lot Developments shall be deemed to include all Reduced Pole Flag Lots, Small Lots and Residual Lots created as part of the development.

SUBDIVISION ORDINANCE AMENDMENTS

SECTION 4. ARTICLE 3. – CONFIGURATION Sec. 3.03 of the Subdivision Ordinance, – Lots, is amended as follows:

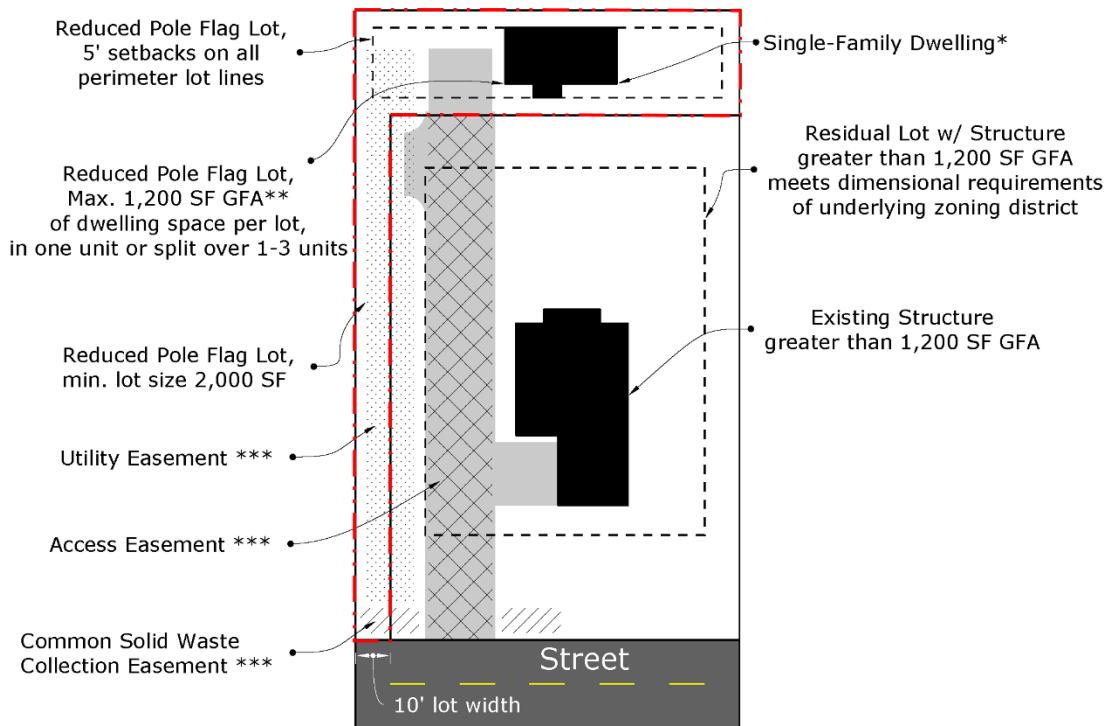
C. Flag lots. New flag lots may be established, subject to the following requirements:

1. Except where topographic conditions or environmental constraints make lot access impractical, no more than five percent of the lots within a subdivision (or individual phase of a subdivision) may be configured as flag lots.
2. New flag lots may be established along any type of street. When located along an expressway or boulevard street ~~only in cases where~~ access to the street ~~is~~ shall be shared with an adjacent lot (see Figure 3.03.C, Flag Lot Access).
3. The "pole," arm," or "pan handle" portion of a flag lot shall maintain a minimum width of at least 20 feet: except as provided under Section 3.03. Reduced Pole Flag Lots.
4. Use of a single driveway to serve an adjoining flag lot or to serve a flag lot and an adjoining conventional lot is encouraged. In the case of a driveway shared with a conventional lot, the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot granted an access easement over the flagpole.

D. Reduced Pole Flag Lots (requirements below are cross-referenced from Hendersonville Zoning Ordinance, Sec. 8-4. – Reduced Pole Flag Lots & Small Lots)

1. **Purpose:** The purpose of this subsection 3.03D is to provide standards for the development of subdivisions containing Reduced Pole Flag Lots and/or Small Lots.
2. **Applicability:** The provisions of this Subsection 3.03D. shall apply to any subdivision containing a Reduced Pole Flag Lot or Small Lot that is being developed in accordance with Section 8.4 of the City of Hendersonville Zoning Ordinance—Reduced Pole Flag Lots & Small Lots and this Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole.
3. **Dimensional Requirements:** All Reduced Pole Flag Lot Subdivisions and All Small Lot Subdivisions must comply with Section 8-4 of the City of Hendersonville Zoning Ordinance—Reduce Pole Flat Lots & Small Lots.

Reduced Pole Flag Lot Minor Subdivision:	
<u>Maximum total number of lots permitted:</u>	<u>6</u>
<u>Maximum number of reduced pole flag lots permitted:</u>	<u>5</u>
<u>Maximum total acreage:</u>	<u>2.0 acres</u>
Small Lot Minor Subdivision:	
<u>Maximum total number of lots permitted:</u>	<u>6</u>
<u>Maximum number of reduced pole flag lots permitted:</u>	<u>5</u>
<u>Maximum total acreage:</u>	<u>2.0 acres</u>



*Subject to Permitted Uses for underlying zoning district
 ** GFA = Gross Floor Area (in square feet, SF)
 *** Dimensions/locations to vary based on service-provider requirements

Figure 1: Reduced Pole Flag Lot

4. Access and Frontage Improvements:

- a) Driveways, Utilities and Accessways may be placed within the “pole” or an alternate site location via ‘access’ and/or ‘utility’ easements.
- b) Shared Driveways:
 - a. Use of a shared driveway to serve one Reduced Pole Flag Lot and one or more adjoining Small Lots, Residual Lots, or conventional lots is permitted. When using a shared driveway, placing the driveway within the pole(s) is encouraged but not required. (ref. Figures 1 and 2)
 - b. Where the poles of two or more Reduced Flag Pole Lots adjoin, use of a shared driveway to serve the Reduced Pole Flag Lots is required. The shared driveway must be located within the adjoining pole(s) (ref. Figure 3).
 - c. Shared driveways must meet the following standards:
 - i. The shared driveway must have a minimum of unobstructed width of 10 feet,
 - ii. The shared driveway must be shown on the recorded plat, and
 - iii. The shared driveway must be memorialized in a recorded* access easement containing provisions for the maintenance of the shared driveway. If utility infrastructure (e.g. water, sewer, electric, etc.) is located within a shared driveway, the recorded access easement shall also allow access within the easement for repair, maintenance and placement of the utility infrastructure. *recorded in the Henderson County Register of Deeds Office
- c) Utility Easements:
 - a. Where utility service lines and/or equipment serving a Reduced Pole Flag Lot, Small Lot or Residual Lot are located on or cross another lot, a shared utility easement is required. Shared utility easements may be placed on “pole’ and other alternative site locations including within a shared driveway. Shared utility easements must meet the following standards:
 - i. The shared utility easement must have a minimum of width of 10 feet,
 - ii. The shared utility easement must be shown on the recorded plat, and
 - iii. The shared utility must be memorialized in a recorded* easement and must contain provisions allowing the repair, maintenance and placement of utility infrastructure, and access for the foregoing purposes. *recorded in the Henderson County Register of Deeds Office
 - b. Utility meters and associated infrastructure shall be located according to service-provider requirements.

(Please see Chapter 52 of the Hendersonville Code of Ordinances for additional requirements.)

d) Solid Waste Collection Easements:

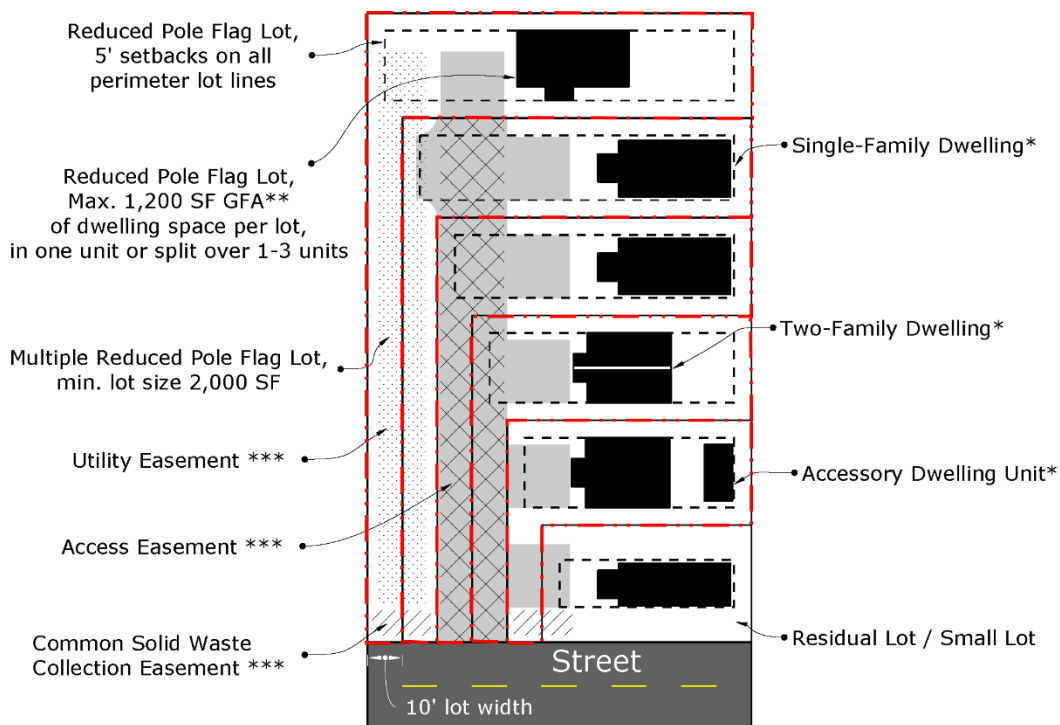
- a. Appropriately-sized ‘Common Solid Waste Collection Easements’ are required for the orderly placement of, and access to, solid waste containers and bulk item / brush collection. These easements shall be sized according to container dimensions and the number of

containers serving the development along with sufficient space to meet brush collection standards. These easements shall be located in accordance with best practices and avoid being placed on/near/under water meters, sewer cleanouts, power lines, guy wires, fire hydrants, etc., and shall comply with any additional locational or sizing standards contained within Chapter 44 of the Hendersonville Code of Ordinances.

- b. Solid Waste Collection Easements must be shown and identified as a 'Common Solid Waste Collection Easement' on the plat and shall require review and approval from Planning staff and the City Public Works Director.
- e) Sidewalks (Sec. 6-12) and Street Trees (Sec. 15-15) shall apply to all Reduced Pole Flag Lots, Small Lots and Residual Lots.

5. Reduced Pole Flag Lot & Small Lot Minor Subdivisions:

- a) The provisions of this section may be used in combination with Small Lots, with a limit of six (6) total lots.
- b) Reduced Pole Flag Lot' Minor Subdivisions and Small Lot Minor Subdivisions containing more than 3 total lots are not exempted from the standards of Article 6. 'Owners Associations'.
- c) In no case shall each subdivided lot have less than 10 feet of street frontage. The pole can serve as the street frontage.



*Subject to Permitted Uses for underlying zoning district

** GFA = Gross Floor Area (in square feet, SF)

*** Dimensions/locations to vary based on service-provider requirements

Figure 2: Reduced Pole Flag Lot Development + Small Lot

~~D.~~ **E. Double or reverse frontage lots.**

~~E.~~ **F. Corner lots.**

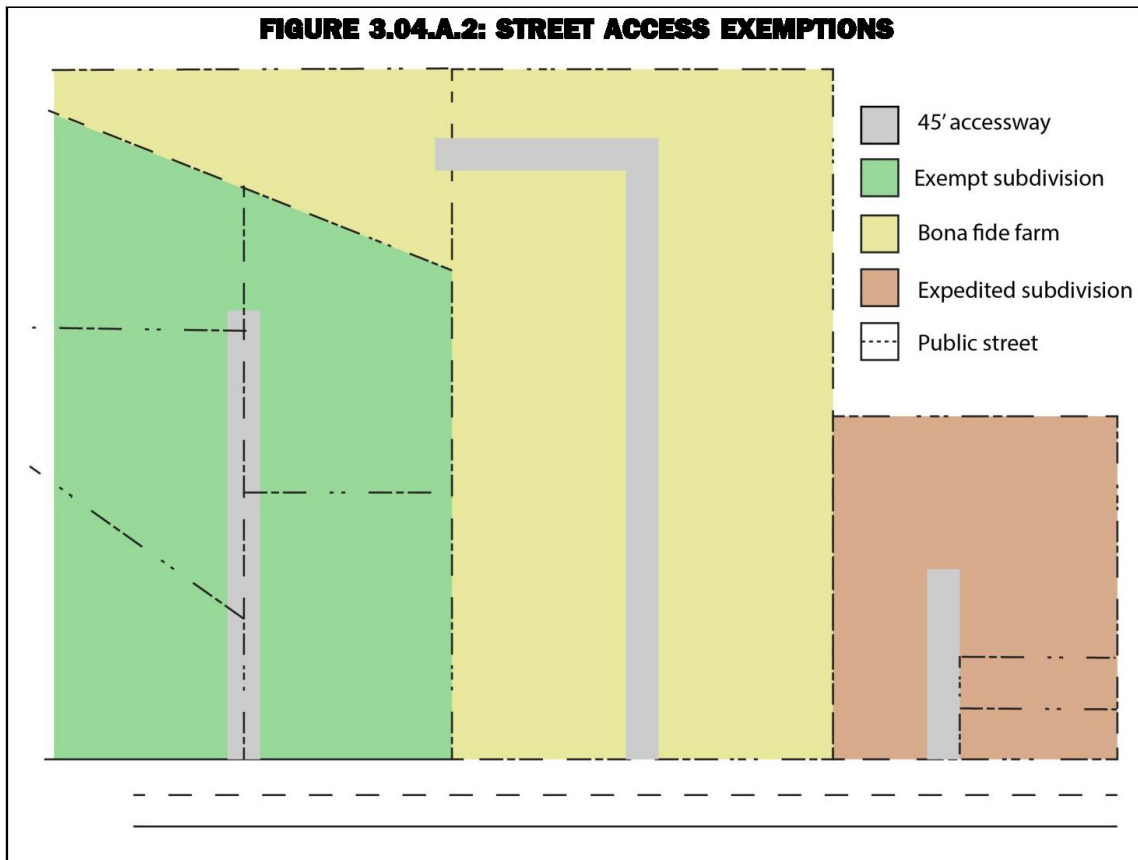
~~F.~~ **G. Drainage and flood prevention.**

SECTION 5. ARTICLE 3. – CONFIGURATION Sec. 3.04. of the Subdivision Ordinance, **Access to lots**, is amended to read as follows:

Sec. 3.04. - Access to lots.

A. Every lot must maintain access.

1. **Generally.** Except for lots within bona fide farms, exempt subdivisions, or in accordance with section 3.04.A.2, street access exemptions, all lots intended to contain a building or structure shall abut a street designed, built, and maintained to city or state standards, as applicable.
2. **Street access exemptions.**
 - a. Lots in any of the following forms of development are not required to be served by a street meeting city or state standards:
 - i) Up to three lots in an expedited subdivision; or
 - ii) Up to three lots without roadway frontage that are served by a single, shared accessway.
 - b. Any lots not required to abut a street designed, built, and maintained to city or state standards shall maintain an access with a minimum width of 45 feet that is adequately maintained to afford a reasonable means of ingress and egress for emergency vehicles (see Figure 3.04.A.2, Street Access Exemptions).
3. **Access serving more than three lots.** With the exception of Reduced Pole Flag Lots Minor Subdivisions and/or Small Lot Minor Subdivisions containing more than three lots, accessways serving more than three lots shall be designed, built, and maintained to public street standards.



SECTION 6. ARTICLE 6 – OWNER ASSOCIATIONS Section 6.02 of the Subdivision Ordinance, Applicability, shall be amended as follows:

Sec. 6.02. Applicability.

A. The standards in this section shall apply to subdivisions with open space set-aside(s), lands held under common ownership, or shared responsibility for common infrastructure including, but not limited to streets or stormwater management facilities.

B. With the exception of Multiple Reduced Pole Flag Lot Minor Subdivisions and/or Small Lot Minor Subdivisions, establishment of an owners' association shall not be required for minor subdivisions (see section 2.04.I, minor subdivision), or expedited subdivisions (see section 2.04.F, expedited subdivision), but the responsible party for any private infrastructure shall be identified in the subdivision approval.

SECTION 7. ARTICLE 8. – MEASUREMENT Section 8.02 of the Subdivision Ordinance, Rules of Measurement, is amended as follows:

Sec. 8.02. - Rules of measurement.

C. Lot Dimensions

1. Lot Measurements.

- a. Minimum lot area. The minimum amount of required land area, measured horizontally, that must be included within the lines of a lot. Lands located within any private easements shall be included within the lot area. The following features shall not be included in calculating minimum lot area:
- i. Public street rights-of-way;
 - ii. Private street area;
 - ~~iii. The “pole,” arm,” or “pan handle” portion of a flag lot; and~~
 - iv. Land that is submerged or regularly underwater and jurisdictional wetlands.

SECTION 8. ARTICLE 9. – DEFINITIONS Section 9.01 of the Subdivision Ordinance, Definitions, is amended to amend and add the following definitions:

Sec. 9.01. - Definitions.

Flag Lot: ~~An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an arm. Further, in cases where a minimum lot width is prescribed, the arm is less than the presumptive minimum required lot width.~~ A lot with two distinct parts: (1) The flag, which is the only building site; meets the lot width requirement of the zoning district; and is located behind another lot; and (2) the pole, which connects the flag to the street; provides the only street frontage and access for the lot; and at any point is less than the minimum lot width for the zone.

Flag Lot, Reduced Pole: A flag lot with reduced dimensional requirements created pursuant to the Hendersonville Zoning Ordinance Sec. 8.4 – Reduced Pole Flag Lots and this Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole.

Lot Area: The total area within the lot lines of a platted lot. Lot Area shall be calculated according to Section 8.02.C.1.a. Minimum lot area of this Subdivision Ordinance.

Reduced Pole Flag Lot Minor Subdivision: A Minor Subdivision containing two or more Reduced Pole Flag Lots created pursuant to Hendersonville Zoning Ordinance Section 8.4—Reduced Pole Flag Lots & Small Lots and this Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole. Reduced Pole Flag Lot Minor Subdivisions may also include Small Lots created pursuant to Section 8.4. Reduced Pole Flat Lot Minor Subdivisions shall be deemed to include all Reduced Pole Flag Lots, Small Lots and Residual Lots created as part of the minor subdivision.

Residual Lot: A remaining lot resulting from the creation of a Reduced Pole Flag Lot or Small Lot.

Small Lot: A lot with reduced dimensional requirements with a maximum square footage per the Hendersonville Zoning Ordinance Sec. 8.4 – Reduced Pole Flag Lots & Small Lots and this Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole.

Small Lot Minor Subdivision: A minor subdivision containing two or more Small Lots created pursuant to Hendersonville Zoning Ordinance Section 8.4—Reduced Pole Flag Lots & Small Lots and this Subdivision Ordinance Sec. 3.03 – Lots, D. Flag Lots, Reduced Pole. Small Lot Minor Subdivisions may also include Reduced Pole Flag Lots created pursuant to Hendersonville Zoning Ordinance Section 8.4. Small Lot Minor Subdivisions shall be deemed to include all Reduced Pole Flag Lots, Small Lots and Residual Lots created as part of the minor subdivision.

SECTION 9. If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are severable.

SECTION 10. It is the intention of the City Council and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Hendersonville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 11. This Ordinance shall be effective upon its adoption.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of April 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney